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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/900,076	07/06/2001	Kazumi Nagata	16869P-028600US	5849
20350	7590	08/29/2006	EXAMINER	
TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834			CHANDLER, SARA M	
			ART UNIT	PAPER NUMBER
			3693	

DATE MAILED: 08/29/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>		<b>Applicant(s)</b>	
	09/900,076		NAGATA, KAZUMI	
	<b>Examiner</b>		<b>Art Unit</b>	
	Sara Chandler		3693	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 4,5,17,18,26 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 4,5,17,18,26 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is responsive to Applicant's arguments and request for reconsideration of application 09900076 (07/06/01) filed on 07/24/06.

### ***Response to Arguments***

The objection to the drawings has been withdrawn in view of amended drawings filed (7/24/06).

Applicant's 102/103 arguments with respect to pending claims 4,5,17,18,26 and 27 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 26,27, 5 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergelson, US Pat. No. 6,697,056.

**Re Claim 26:** Bergelson discloses a statement handling apparatus comprising:  
a reading unit configured to read image data from a statement on which

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information is formed thereon one or more of bar code data, OCR-recognizable characters, or handwritten characters (Bergelson, abstract, col. 4, line 65+ - col. 5, line 37; col. 6, lines 30-61; Figs. 5,6);

an identification unit configured to identify a statement type of the statement and compare the image data of the statement read by the reading unit with patterns of statement data (Bergelson, abstract, col. 1, lines 65+ - col. 2, line 22; col. 3, lines 12-25; col. 3, lines 50-59; col. 4, lines 43-60; Figs. 2,4,5,6 Although image data is compared with the assigned properties for the different forms (i.e., statements). The type of form (i.e., statement) is identified by the image data of the marking rather the image data expected to appear within the zones of the form);

a recognition unit configured to recognize at least bar code data and the character data contained in the image data depending on the statement type identified by the identification unit (Bergelson, abstract, col. 4, line 65+ - col. 5, line 37; col. 6, lines 30-61; Figs. 5,6);

a display unit configured to display recognized bar code data and recognized character data (Bergelson, abstract, col. 6, lines 30-61, Fig. 6); and

a control unit configured to verify recognized bar code data, wherein if the recognized bar code data is verified then the control unit displays the recognized bar code data via the display unit, wherein if the recognized bar code data is not verified then the control unit verifies recognized character data, wherein if the recognized character data is verified then the control unit displays the recognized character data via

the display unit, wherein if the recognized character data is not verified then handling of the statement ceases (Bergelson, abstract, col. 6, lines 30-61, Fig. 6).

Bergelson fails to explicitly disclose an apparatus comprising:  
an identification unit configured to identify a statement type of the statement by  
comparing the image data of the statement read by the reading unit with patterns of  
statement data.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Bergelson to provide a statement handling apparatus comprising: a reading unit configured to read image data from a statement on which information is formed thereon one or more of bar code data, OCR-recognizable characters, or handwritten characters; an identification unit configured to identify a statement type of the statement by comparing the image data of the statement read by the reading unit with patterns of statement data; a recognition unit configured to recognize at least bar code data and the character data contained in the image data depending on the statement type identified by the identification unit; a display unit configured to display recognized bar code data and recognized character data; and a control unit configured to verify recognized bar code data, wherein if the recognized bar code data is verified then the control unit displays the recognized bar code data via the display unit, wherein if the recognized bar code data is not verified then the control unit verifies recognized character data, wherein if the recognized character data is verified then the control unit displays the recognized character data via the display unit, wherein if the recognized character data is not verified then handling of the statement ceases.

One would have been motivated to have alternative ways to identify documents, statements and forms in case of human or machine error.

**Re Claim 27:** Bergelson discloses a method for handling a statement on which information is formed thereon one or more of bar code data, OCR-recognizable characters, or handwritten characters comprising:

reading the image data on the statement to obtain image data (Bergelson, abstract, col. 4, line 65+ - col. 5, line 37; col. 6, lines 30-61; Figs. 5,6);

comparing the image data of the statement with patterns of statement data (Bergelson, abstract, col. 1, lines 65+ - col. 2, line 22; col. 3, lines 12-25; col. 3, lines 50-59; col. 4, lines 43-60; Figs. 2,4,5,6 Although image data is compared with the assigned properties for the different forms (i.e., statements). The type of form (i.e., statement) is identified by the image data of the marking rather the image data expected to appear within the zones of the form);

determining a statement type of the statement (Bergelson, abstract, col. 1, lines 65+ - col. 2, line 22; col. 3, lines 12-25; col. 3, lines 50-59; col. 4, lines 43-60; Figs. 2,4,5,6

Although image data is compared with the assigned properties for the different forms (i.e., statements). The type of form (i.e., statement) is identified by the image data of the marking rather the image data expected to appear within the zones of the form);

recognizing bar code data and character data contained in the image data based on the statement type to obtain recognized bar code data and recognized character data (Bergelson, abstract, col. 4, line 65+ - col. 5, line 37; col. 6, lines 30-61; Figs. 5,6); and verifying the recognized bar code data (Bergelson, abstract, col. 6, lines 30-61, Fig. 6),

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wherein if the recognized bar code data is verified then processing the statement using the recognized bar code data, wherein if the recognized bar code data is not verified then verifying the recognized character data (Bergelson, abstract, col. 6, lines 30-61, Fig. 6),

wherein if the recognized character data is verified then processing the statement using the recognized character data via the display unit, wherein if the recognized character data is not verified then ceasing further processing of the statement (Bergelson, abstract, col. 6, lines 30-61, Fig. 6).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Bergelson to provide a method for handling a statement on which information is formed thereon one or more of bar code data, OCR-recognizable characters, or handwritten characters comprising: reading the image data on the statement to obtain image data; comparing the image data of the statement with patterns of statement data to determine a statement type of the statement; recognizing bar code data and character data contained in the image data based on the statement type to obtain recognized bar code data and recognized character data; and verifying the recognized bar code data, wherein if the recognized bar code data is verified then processing the statement using the recognized bar code data, wherein if the recognized bar code data is not verified then verifying the recognized character data, wherein if the recognized character data is verified then processing the statement using the recognized character data via the display unit, wherein if the recognized character data is not verified then ceasing further processing of the statement.

One would have been motivated to have alternative ways to identify documents, statements and forms in case of human or machine error.

**Re Claims 5,18:** Bergelson discloses a statement handling apparatus according to claim further comprising a data input unit, and wherein the control unit is further configured to display via the display unit an instruction to request data be input to the input unit and to compare the input data with data recognized from handwritten data if the statement includes handwritten data (Bergelson, abstract, col. 6, lines 30-61, Fig. 6).

**Claims 4 and 17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergelson, US Pat. No. 6,697,056 in view of Ohtani, US Pat. No. 5,930,409.

**Re Claim 4,17:** Bergelson fails to explicitly disclose a statement handling apparatus/method wherein the bar code data includes bar codes with check digits (Ohtani, col. 5, lines 15 – 23). Ohtani discloses a statement handling apparatus/method wherein the bar code data includes bar codes with check digits. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Bergelson by adopting the teachings of Ohtani to provide a statement handling apparatus/method wherein the bar code data includes bar codes with check digits. As suggested by Ohtani, one would have been motivated to detect errors.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

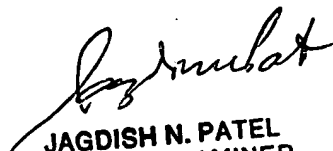
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara Chandler whose telephone number is 571-272-1186. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMC



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PRIMARY EXAMINER